

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

RELEASE BY SECURED PARTY

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Bank of Montreal		10/15/2007	Canadian Charter Bank: CANADA

RECEIVING PARTY DATA

Name:	E.D. Smith Limited Partnership, E.D. Smith & Sons, Limited, E.D. Smith USA Inc. and E.D. Smith & Sons, LP
Street Address:	944 Highway #8
City:	Winona, Ontario L8E 5S3
State/Country:	CANADA
Entity Type:	CORPORATION: CANADA

PROPERTY NUMBERS Total: 10

Property Type	Number	Word Mark
Registration Number:	2594877	DELIGHTFUL
Registration Number:	2227902	E. D. SMITH
Registration Number:	1896341	E.D. SMITH TRIPLE FRUITS
Registration Number:	2430768	SAUCEMAKER
Registration Number:	1926598	TRIPLE FRUITS
Registration Number:	2695495	ALL SEASON
Registration Number:	2344896	LA MAISON
Registration Number:	2342952	MERIT
Serial Number:	78824626	SEAFORTH
Serial Number:	78824633	SEAFORTH CREAMERY

CORRESPONDENCE DATA

Fax Number: (212)953-7201

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: (212) 415-9200

TRADEMARK

REEL: 003926 FRAME: 0226

900125770

OP \$265.00 2594877

Email: ny.trademark@dorsey.com
Correspondent Name: Dorsey & Whitney LLP
Address Line 1: 250 Park Avenue, 15th Floor
Address Line 4: New York, NEW YORK 10177

ATTORNEY DOCKET NUMBER: 447491-00006

DOMESTIC REPRESENTATIVE

Name: Dorsey & Whitney LLP
Address Line 1: 250 Park Avenue, 15th Floor
Address Line 4: New York, NEW YORK 10177

NAME OF SUBMITTER: Sarah M. Robertson

Signature: /smr/

Date: 01/29/2009

Total Attachments: 3
source=Release of Security Interest#page1.tif
source=Release of Security Interest#page2.tif
source=Release of Security Interest#page3.tif

RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

WHEREAS E.D. Smith Limited Partnership, E.D. Smith & Sons, Limited, E.D. Smith USA Inc. and E.D. Smith & Sons, LP (collectively, the "**Grantors**"), the full post office address of whose principal office or place of business is 944 Highway No. 8, Winona, Ontario L8E 5S3, are the owners of certain Canadian, United States, United Kingdom and/or Mexican trade-mark registrations and/or applications, including those listed on Schedule "A" attached hereto (collectively, the "**Trade-Marks**");

AND WHEREAS Bank of Montreal, as agent for itself and certain lenders (the "**Secured Party**") pursuant to the Credit Agreement dated January 23, 2002, pursuant to that certain Intellectual Property Security Agreement dated January 23, 2002, pursuant to the Third Amended and Restated Credit Agreement dated June 2, 2006 and pursuant to that certain Security Agreement (Trade Marks) dated June 5, 2006 (collectively, the "**Agreements**"), was granted a security interest in and to the Trade-Marks;

AND WHEREAS, the Secured Party wishes to: (i) release its security interest covering the Trade-Marks; (ii) restore all right, title and interest in and to the Trade-Marks to the Grantors; and (iii) dissolve any and all liens and encumbrances respecting the Trade-Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Secured Party does hereby release its security interest in the Trade-Marks, and discharges, re-assigns, quit claims and relinquishes unto the Grantors (in each case without recourse and without any representation or warranty) and their respective successors and assigns any and all right, title, interest, benefit and security interest it has in and to the Trade-Marks now covered or intended to be covered by each of the security interests granted by the Grantors to the undersigned including under the Agreements.

IN WITNESS WHEREOF, the Secured Party has hereunto executed this Release at Toronto, Ontario this 15th day of October, 2007.

BANK OF MONTREAL

By: 



Name: Douglas Richard

Title: Senior Manager

SCHEDULE "A"

See attached.

Schedule A
United States

Trade-Mark	Application No.	Registration No.	Security Agreement
DELIGHTFUL	75/757774 07/22/1999	2594877 07/16/2002	Bank of Montreal March 7, 2002
E.D. SMITH	75/394079 11/21/1997	2227902 03/02/1999	Bank of Montreal March 7, 2002
E.D. SMITH TRIPLE FRUITS & Design 	74/400090 06/10/1993	1896341 05/30/1995	Bank of Montreal March 7, 2002
SAUCEMAKER & Design	75/662491 03/17/1999	2430768 02/27/2001	Bank of Montreal March 7, 2002
TRIPLE FRUITS	74/476648 01/05/1994	1926598 10/10/1995	Bank of Montreal March 7, 2002
ALL SEASONS & Design 	76410229 2002-05-21	2695495 2013-03-11	Bank of Montreal May 9, 2007
LA MAISON	75593546 1998-11-23	2344896 2000-04-25	Bank of Montreal May 9, 2007
MERIT	75621680 1999-01-15	2342952 2000-04-18	Bank of Montreal May 9, 2007
SEAFORTH	78824626 2006-02-27		Bank of Montreal May 14, 2007
SEAFORTH CREAMERY	78824633 2006-02-27		Bank of Montreal May 14, 2007